

IDAHO BARBER AND COSMETOLOGY SERVICES LICENSING BOARD

Division of Occupational and Professional Licenses

P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 6/1/2020

BOARD MEMBERS PRESENT: Debra J Thompson - Chair
Merrilyn Cleland
Geneal Thompson
Thomas E Grimsman
Wendy S Rucker
Brian Porter
Lindy High

DIVISION STAFF: Dawn Hall, Deputy Division Administrator
Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Nicholas Crema, General Counsel
Rob McQuade, Legal Counsel
Eric Nelson, Board Prosecutor
Greg Floyd, Financial unit Manager
Allegra Earl, Board Specialist

OTHERS PRESENT: Lou Starita, Paul Mitchell Boise/Nampa
Ty Walker, Emma Long, Paul Mitchell Rexburg
Barbara Lyon, Toni & Guy
Linda Mottishaw, Elevate Salon Institute,
Dr. Marcy Ceranek, Milan Institute
Ronda Clark and LaDonn Goodfellow,
Cosmetology School of Arts and Sciences
Margarita Castellanos, The Salon Professionals
Wendy Florence, Academy Di Firenze
Sarah Ward, Boise Barber College
Kris Ellis, Eiguren Ellis Public Policy Firm

The meeting was called to order at 8:33 AM MDT by Debra J Thompson.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

EXECUTIVE SESSION

Ms. Rucker made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Ms. High. The vote was: Ms. D Thompson, aye; Mr. Grimsman, aye; Ms. Cleland, aye; Mr. Porter, aye; Ms. G Thompson; Ms. Rucker, aye; and Ms. High, aye. Motion carried.

Ms. Cleland made a motion to come out of executive session. It was seconded by Mr. Grimsman. Motion carried.

DISCIPLINE

Mr. Nelson presented Stipulation and Consent Orders in case numbers BCB-2020-140; and BCB-2020-173. Ms. Cleland made a motion to approve the Consent Orders and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Grimsman. Motion carried.

Mr. Nelson presented a Stipulation and Consent Order in case number BCB-2020-130/133. Ms. Cleland made a motion that the Board accept the Consent Order provided the respondent agrees to an errata amending paragraph 11 B to correct the amount of attorney's fees to \$500.00 and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Rucker. Motion carried.

Ms. Peel presented a Settlement Order in case number BCB-2020-195/196. Ms. Cleland made a motion to approve the Settlement Order and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Rucker. Motion carried.

FOR BOARD DETERMINATION

Ms. Cleland made a motion to approve the Division's recommendation and authorize closure in case numbers: I-BCB-2020-65; I-BCB-2020-78; I-BCB-2020-95/96/122; I-BCB-2020-191; I-BCB-2020-231; and I-BCB-2020-262. It was seconded by Ms. Rucker. Motion carried.

Ms. Cleland made a motion to approve the Division's recommendation and authorize closure with a warning letter in case numbers: I-BCB-2020-110; I-BCB-2020-127/128/129; I-BCB-2020-154; I-BCB-2020-162/163; I-BCB-2020-170; I-BCB-2020-181/182; I-BCB-2020-206/240; I-BCB-2020-209; I-BCB-2020-212; I-BCB-2020-236; I-BCB-2020-239; I-BCB-2020-256/257; I-BCB-2020-266; I-BCB-268/269; I-BCB-2020-270; I-BCB-2020-277/278; I-BCB-282; and I-BCB-2020-283. It was seconded by Ms. Rucker. Motion carried.

FINANCIAL REPORT

Mr. Floyd gave the financial report, which indicated that the Board had a cash balance of \$739,519.15 as of 4/30/2020.

LAWS AND RULES

Mr. McQuade presented a draft of the rules. After some discussion, the Board provided direction to update language and remove redundancies in definitions, safety and disinfection, requirements for licensure, and apprenticeships. Mr. McQuade said he would bring a strikethrough and underlined draft for the Board to review at the next meeting.

DIVISION BUSINESS

The Board reviewed the To Do List and no action was taken.

BOARD BUSINESS

CONFERENCE UPDATES AND ATTENDENCE

The Board reviewed an email from the National Interstate Council of State Boards of Cosmetology (NIC) regarding the cancellation of the annual conference that would have been held in Louisville, Kentucky due to COVID-19. No action was taken.

The Board also talked about the National Association of Barber Boards of America (NABBA) that is to be held in Washington DC. Ms. Earl stated that, as of right now, NABBA is still planning to hold the meeting. The Board opted not to attend the conference this year.

CORRESPONDENCE

The Board reviewed correspondence regarding distance learning and eyelash extensions. The Board took no action.

The Board reviewed correspondence from Mr. L. Starita, Paul Mitchell Boise/Nampa, and from Ronda Clark, Cosmetology School of Arts and Sciences, about the Board allowing distance learning after the COVID-19 crisis has passed. After some discussion, the Board decided to do more research and have legal counsel draft some rules to allow distance learning.

The Board reviewed an email from DL Roope updating the core content for the NIC Nail Technology Theory and Practical Examinations. Ms. Rucker made a motion to accept the update to the core content for the NIC Nail Technology Theory and Practical Examinations. It was seconded by Ms. High. Motion carried.

EXECUTIVE SESSION

Ms. Cleland made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Ms. Rucker. The vote was: Ms. D Thompson, aye; Mr. Grimsman, aye; Ms. Cleland, aye; Mr. Porter, aye; Ms. G Thompson; Ms. Rucker, aye; and Ms. High, aye. Motion carried

Ms. Cleland made a motion to come out of executive session. It was seconded by Ms. High. Motion carried.

APPLICATIONS

Ms. Cleland made a motion to approve the following for licensure:

KIEU NGHIA DUC	NT-276924
NGUYEN OAHN THI XUAN	NT-276925
NGUYEN THI HIEN	NT-276585
SHARRAH AMANDA LYNN	RC-276016
YINQUEZ LAURA NICOLE	CI-276293

It was seconded by Mr. Grimsman. Motion carried.

Ms. Cleland made a motion to table the following pending receipt of additional information and review by Board chair:

901143330

It was seconded by Ms. High. Motion carried.

NEXT MEETING was scheduled for July 6, 2020 at 8:00 AM MDT.

ADJOURNMENT

Mr. Grimsman made a motion to adjourn the meeting at 11:37 AM MDT. It was seconded by Ms. Cleland. Motion carried.

Debra J Thompson, Chair